

REMARKS

Claims 1-50, 53 and 56-66 are pending in this application. By this Amendment, claims 1 and 20 are amended, and new claims 64-66 are added. Support for the amendments to claims 1 and 20 and new claims 64-66 can be found in the specification, for example, at paragraphs [0052] - [0063]. No new matter is added.

The courtesies extended to Applicants' representative by Examiner Beisner at the interview held July 14, 2009, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicants' record of the interview.

The Office Action, 1) in paragraph 3, rejects claims 1-7, 9, 11, 17-20, 24-27, 29, 32, 33 and 35 under 35 U.S.C. §102(b) over U.S. Patent No. 3,810,367 to Peterson; 2) in paragraph 7, rejects claims 8, 10, 28 and 34 under 35 U.S.C. §103(a) over Peterson; 3) in paragraph 8, rejects claims 12, 13, 16, 21-23, 30, 36 and 37 under 35 U.S.C. §103(a) over Peterson in view of either U.S. Patent No. 5,586,438 to Fahy or U.S. Patent No. 3,995,444 to Clark et al.; 4) in paragraph 9, rejects claims 14, 38 and 39 under 35 U.S.C. §103(a) over Peterson in view of U.S. Patent No. 3,713,302 to Revie; 5) in paragraph 10, rejects claims 15 and 31 under 35 U.S.C. §103(a) over Peterson in view of U.S. Patent No. 1,369,367 to Thomson; 6) in paragraph 11, rejects claims 40-50 and 56-58 under 35 U.S.C. §103(a) over Peterson in view of either Fahy or Clark and further in view of Thomson; 7) in paragraph 12, rejects claim 53 under 35 U.S.C. §103(a) over Peterson in view either Fahy or Clark in view of Thomson and further in view of Revie; 8) in paragraph 13, rejects claim 59 under 35 U.S.C. §103(a) over Peterson in view of either Fahy or Clark and further in view of EP 0 376 763 to McKelvey et al.; 9) in paragraph 14, rejects claims 60 and 61 under 35 U.S.C. §103(a) over Peterson in view of either Fahy or Clark and McKelvey and further in view of U.S. Patent No. 6,238,908 to Armstrong et al.; and 10) in paragraph 15, rejects claims

62 and 63 under 35 U.S.C. §103(a) over Peterson in view of either Fahy or Clark in view of Thomson and McKelvey, and further in view of Armstrong. The rejections are respectfully traversed.

As agreed during the personal interview, none of the applied references teaches or would have rendered obvious a transporter that is configured to perfuse an organ or tissue, as recited in independent claim 1, and as similarly recited in independent claim 20. Also, as agreed during the personal interview, none of the applied references teaches or would have rendered obvious a portable housing that includes openings configured to allow tubing to pass through said openings and be connected to the organ, the tubing being configured to pass through the openings when the portable housing is mated with the compartment, as recited in independent claim 40 (and as also recited in claim 37).

Thus, for at least these reasons, independent claims 1, 20 and 40 are patentable over the applied references. Further, claims 2-19, 21-39, 41-50, 53 and 56-63, which respectively depend from claims 1, 20 and 40, are also patentable over the applied references for at least the reasons discussed above, as well as for the additional features they recite. Withdrawal of the rejections is thus respectfully requested.

New claims 64-66 are also patentable over the applied references for at least the reasons discussed above.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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WPB:RBI/hs

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Attachments: Amendment Transmittal
Petition for Extension of Time

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